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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/889,840	07/23/2001	Hiroshi Iwamoto	10873.754USWO	1418
23552	7590	10/07/2003	EXAMINER	
MERCHANT & GOULD PC P.O. BOX 2903 MINNEAPOLIS, MN 55402-0903				PHINNEY, JASON R
ART UNIT		PAPER NUMBER		
		2879		

DATE MAILED: 10/07/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	09/889,840	IWAMOTO ET AL.	
	<b>Examiner</b> Jason Phinney	<b>Art Unit</b> 2879	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on 08 August 2003.
- 2a) This action is FINAL.                    2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 1-8 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) 1,5 and 6 is/are allowed.
- 6) Claim(s) 2,3,7 and 8 is/are rejected.
- 7) Claim(s) 4 is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) The proposed drawing correction filed on 08 August 2003 is: a) approved b) disapproved by the Examiner.  
If approved, corrected drawings are required in reply to this Office action.
- 12) The oath or declaration is objected to by the Examiner.

#### Priority under 35 U.S.C. §§ 119 and 120

- 13) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) All
  - b) Some \*
  - c) None of:
    1. Certified copies of the priority documents have been received.
    2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_ .
    3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
  - a) The translation of the foreign language provisional application has been received.
- 15) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

#### Attachment(s)

- |  |  |
|--|--|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)                               | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). _____ . |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)           | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)  |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ . | 6) <input type="checkbox"/> Other: _____ .                                   |

## DETAILED ACTION

### *Drawings*

1. The proposed drawing corrections were received on 8/8/03. These drawings are acceptable.

### *Claim Rejections - 35 USC § 102*

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 2, 3, 7, and 8 are rejected under 35 U.S.C. 102(b) as being clearly anticipated by U.S. Patent No. 5,773,924 to Nakamura.

Regarding Claim 2, Nakamura discloses an internal magnetic shield for a cathode ray tube that comprises a pair of opposing long side walls (Figure 5A, #'s 12 and 14), a pair of opposing short side walls (#'s 11 and 13), an opening (See Figure 5A) enclosed by the side walls in the center of the shield, and wherein at least one pair of the long and short side walls are provided with one notch formed on each respective wall by at least two pairs of opposing cutting edges with different orientations (#'s 17, 18, 19, and 20).

Regarding Claim 3, Nakamura further discloses that one pair of the at least two pairs of opposing cutting edges should be parallel to each other (Figure 5A, #'s 17, 18, 19, and 20).

Regarding Claim 7, Nakamura further discloses that a straight cutting edge substantially parallel to a phosphor screen should be formed at the bottom of each of the notches (Figure 5A, #'s 17, 18, 19, and 20).

Regarding Claim 8, Nakamura further discloses a cathode ray tube with an envelope (Figure 1, #3) having a front panel (#1) and a funnel (#2), a phosphor screen (#4) formed on an inner surface of the front panel, a color selection electrode (#5) arranged to face the phosphor screen, an electron gun (#6) placed in the funnel, and the internal magnetic shield (#8) of Claim 2 placed between the color selection electrode and the electron gun.

***Allowable Subject Matter***

3. Claims 1, 5, and 6 are allowed.
4. The following is a statement of reasons for the indication of allowance:
5. Regarding Claim 1, the prior art of record and relied upon fails to show or suggest an internal magnetic shield for a cathode ray tube with a pair of opposing long side walls, a pair of opposing short side walls, an opening enclosed by the side walls in a center, wherein at least one pair of the long and short side walls are provided with notches having a home-plate shape.

Regarding claims 5 and 6, claims 5 and 6 are allowable for the reasons given in claim 1 because of their dependency status from claim 1.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

6. Claim 4 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

7. The following is a statement of reasons for the indication of allowable subject matter:

Regarding claim 4, the references of the Prior Art of record fails to teach or suggest the combination of the limitations as set forth in claim 4, and specifically comprising the limitation that at least one pair of the opposing cutting edges should be provided so that the width of the opposing cutting edges is increased from an electron gun side to a phosphor screen side.

***Response to Arguments***

8. Applicant's arguments, see Page 5, Lines 11-20, filed 8/8/03, with respect to Claim 4 have been fully considered and are persuasive. The rejection of Claim 4 under 35 USC 112 1<sup>st</sup> paragraph has been withdrawn.

9. Applicant's arguments filed 8/8/03 with respect to the rejection of claims 2, 3, 7, and 8 under 35 USC 102(b) have been fully considered but they are not persuasive.

10. In response to the Applicant's contention that the Nakamura reference does not meet the limitation that each wall should have one notch, the Examiner respectfully disagrees. The Examiner considers the notch to be the full area of the removed material, which consists of seven cutting edges in the shape shown in Figure 5 from cutting edge #17 to cutting edge #18.

***Conclusion***

11. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

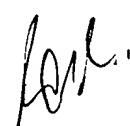
A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jason Phinney whose telephone number is (703) 305-3999. The examiner can normally be reached on M-F 7:30-4:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nimesh Patel can be reached on (703) 305-4794. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-0956.

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